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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA

v.

JEFFREY HAWKINS,

Defendant.

CASE NO. 3-13-70883-NC

STIPULATION AND [PROPOSED] ORDER

Date: December 9, 2013

Time: 9:30 am

Court: Hon. Maria-Elena James

The Government respectfully submits this Stipulation and Proposed Order on behalf of the parties to request that the December 9, 2013, preliminary hearing date be continued until January 10, 2014, to allow the defendant the opportunity to seek resolution of this matter prior to the filing of formal charges as well as to accommodate the defendant's schedule. The parties hereby stipulate and agree that:

1. The defendant, Jeffrey Hawkins, was charged in a Criminal Complaint dated August 5, 2013, with interfering with an airplane flight crew, in violation of Title 49, United States Code, Section 46504. The defendant made his initial appearance before the Honorable Nathanael Cousins on August 14, 2013, and was released on a \$10,000 unsecured bond. Magistrate Judge Cousins set September 18,

FILED
DEC 9 2013
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

1 2013, as the preliminary hearing/arraignment date.

2 2. Michael Paez, Esq., counsel for the defendant, requested an opportunity to prepare a
3 formal submission to the Government proposing resolution of this matter prior to the filing of formal
4 charges. Accordingly, the parties jointly requested, and the Court granted, a continuance of the
5 preliminary hearing until September 18, 2013.

6 3. Mr. Paez has submitted a formal proposal to the Government, and the Government is now
7 in the process of considering it. However, the Government requires additional time to consider this
8 proposal, which will require coordinating with Pretrial Services in the Northern District of California
9 and/or in the Southern District of New York, where the defendant works, and the Eastern District of
10 New York, to where the defendant recently moved. Accordingly, the parties respectfully request that the
11 December 9, 2013 preliminary hearing be continued until January 10, 2014. Should this request be
12 granted, the parties submit that time should be properly excluded in the interests of justice and to ensure
13 the effective assistance of counsel under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), and Fed. R.
14 Crim. P. 5.1.

15
16 SO STIPULATED.

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18 DATED: December 9, 2013

MELINDA HAAG
United States Attorney

19
20 By: /s/
21 W.S. WILSON LEUNG
22 Assistant United States Attorney

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24 DATED: December 9, 2013

/s/
MICHAEL PAEZ, ESQ.
Counsel for defendant Jeffrey Hawkins

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1 FOR THE FOREGOING REASONS, IT IS HEREBY ORDERED THAT the December 9, 2013
2 preliminary hearing/arraignment for the above-captioned matter is continued until January 10, 2014, and
3 time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), and Fed. R. Crim. P. 5.1 is excluded until
4 January 10, 2014. The Court finds that good cause is shown for extending the time limits set forth in
5 Federal Rule of Criminal Procedure 5.1(c), and, further, concludes that the extension is proper under
6 Rule 5.1(d) and Title 18, United States Code, Sections 3060 and 3161. The Court finds that the ends of
7 justice served by granting the requested extension outweigh the best interests of the public and the
8 defendant in a speedy trial and in the prompt disposition of criminal cases. The Court also concludes
9 that an exclusion of time through and including January 10, 2014, should be made under Title 18, United
10 States Code, Sections 3161(h)(7)(A) and 3161(h)(7)(B)(iv). The Court also finds that the ends of justice
11 served by an exclusion of time through and including January 10, 2014, outweigh the best interest of the
12 public and the defendant in a speedy trial. Id. § 3161(h)(7)(A).

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14 DATED: December 9, 2013



HON. MARIA-ELENA JAMES
Chief United States Magistrate Judge